

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**Amy Newton, Individually and behalf of all
other similarly situated.**

Plaintiff,

v.

Mission Care of Illinois, LLC,

Defendant.

Case No.: 3:22-cv-02442-SMY

FINAL ORDER AND JUDGMENT

This matter coming to be heard on Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement (the "Motion"), due and adequate notice having been given to the Settlement Class and no objections having been filed, and the Court having considered the papers filed, having conducted a final approval hearing on January 18, 2024, and being fully advised in the premises, **IT IS HEREBY ORDERED, ADJUDGED, and DECREED** as follows:

1. Pursuant to FRCP 23, the Court now gives final approval to the Settlement and finds that the Settlement Agreement is fair, adequate, reasonable, and in the best interests of the Settlement Class.

2. The Court finally certifies the following Settlement Class:

All individuals who worked for Mission Care or an affiliate in the State of Illinois and who enrolled in or used a fingertip scan timekeeping system in connection with their work for Mission Care or an affiliate from September 14, 2017 to the date of Preliminary Approval.

3. The Court confirms the appointment of Plaintiff Amy Newton as Class Representative of the Settlement Class.

4. The Court confirms the appointment of Class Counsel and finds they have adequately represented the Settlement Class.

5. The Court has determined that the Notice given to the Settlement Class Members, in accordance with the Preliminary Approval Order, fully and accurately informed Settlement Class Members of all material elements of the Settlement and constituted the best notice practicable under the circumstances, and fully satisfied the requirements of Fed. R. Civ. P. 23(c)(2), applicable law, and Due Process.

6. The Court orders the Parties to the Settlement Agreement to perform their obligations thereunder.

7. Plaintiff and Settlement Class Members who did not validly and timely request exclusion from the Settlement are permanently barred and enjoined from asserting, commencing, prosecuting, or continuing any of the Released Claims or any of the claims described in the Settlement Agreement against any of the Released Parties.

8. The Court, having considered the materials submitted by Class Counsel in support of final approval of the Settlement and their request for attorneys' fees, costs and expenses and in response to any timely filed objections thereto, finds the award of attorneys' fees, costs and expenses appropriate and reasonable. The Court therefore approves payment of attorneys' fees in the amount of \$174,300.00, and reimbursable litigation costs and expenses to Class Counsel in the amount of three thousand dollars (\$3,000.00). This amount shall be paid from the Settlement Fund in accordance with the terms of the Settlement Agreement.

9. The Court approves the requested Incentive Award to Plaintiff Amy Newton, as Class Representative, in the amount of two-thousand five-hundred dollars (\$2,500.00). This amount shall be paid from the Settlement Fund in accordance with the terms of the Settlement Agreement.

10. The Court finds that no reason exists for delay in entering this Final Order and

Judgment. Accordingly, the Clerk of Court is **DIRECTED** to enter this Final Order and Judgment.

IT IS SO ORDERED.

DATED: January 18, 2024



STACI M. YANDLE
United States District Judge